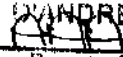


**FILED**  
HARRISBURG, PA

SEP 02 2005

MARY E. D'ANDREA, CLERK  
Per   
Deputy Clerk

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

**TAMMY KITZMILLER, et al.,**

**Plaintiffs,**

**v.**

**DOVER AREA SCHOOL  
DISTRICT, et al.,**

**Defendants.**

**Civil No. 04-CV-2688**

**Filed Electronically**

**Hon. John E. Jones, III**

**UNOPPOSED MOTION OF COURTROOM  
TELEVISION NETWORK LLC TO INTERVENE**

Courtroom Television Network LLC ("Court TV") hereby moves this Honorable Court for leave to intervene pursuant to Rule 24(b) for the limited purpose of seeking leave to record and telecast the trial proceedings in this action. Copies of the Unopposed Motion of Intervenor Court TV for Leave to Record and Telecast Trial Proceedings, and the Memorandum in support thereof, are separately

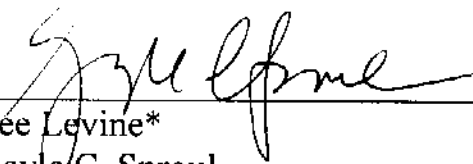
bound as Exhibit 1 hereto.<sup>1</sup> The reasons supporting this unopposed Motion to Intervene are set forth in the accompanying Memorandum.

WHEREFORE, Court TV respectfully requests that the Court grant it leave to intervene for the limited purpose of seeking leave to record and telecast the trial proceedings in this action.

Dated: September 2, 2005

Respectfully submitted,

LEVINE SULLIVAN KOCH & SCHULZ, L.L.P.

By:   
Lee Levine\*  
Gayle C. Sproul  
Michael Berry  
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*Attorneys for Movant-Intervenor  
Courtroom Television Network LLC*

\* Petition for special admission filed on September 2, 2005.

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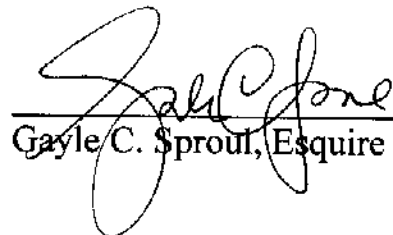
<sup>1</sup> The unopposed Motion of Court TV to File a Brief Exceeding the Word Count Provided for in Local Rule 7.8(b)(2) is separately bound as Exhibit 2.

**CERTIFICATE OF CONCURRENCE**

The undersigned attorney for Courtroom Television Network LLC (Court TV) hereby certifies as follows:

I advised plaintiffs' attorney, Witold J. Walczak, Esquire, of the foregoing Motion to Intervene and Motion for Leave to Record and Telecast Trial Proceedings and was told that Plaintiffs take no position on Court TV's motions and defer to the Court's judgment on this issue.

I advised defendants' attorney, Richard Thompson, Esquire, of the foregoing Motion to Intervene and Motion for Leave to Record and Telecast Trial Proceedings and was told that defendants do not oppose them.

  
\_\_\_\_\_  
Gayle C. Sproul, Esquire

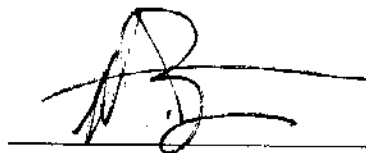
**CERTIFICATE OF SERVICE**

I, Michael Berry, hereby certify that on the 2nd day of September, 2005, I caused a true and correct copy of the foregoing Unopposed Motion of Courtroom Television Network LLC to Intervene to be served by upon the following counsel of record via Federal Express:

Witold J. Walczak  
American Civil Liberties Union of PA  
313 Atwood Street  
Pittsburgh, PA 15213

Richard Thompson  
Thomas More Law Center  
24 Frank Lloyd Wright Drive  
P.O. Box 393  
Ann Arbor, MI 48106

Ronald A. Turo  
Turo Law Offices  
28 South Pitt Street  
Carlisle, PA 17013

A handwritten signature in black ink, appearing to be 'MB', is written over a horizontal line.

Michael Berry